

Serial Number: 09/916,040

Docket Number: 10007847-1

REMARKS

Upon entry of the following Response, claims 1-22 remain pending in the present application. Applicants respectfully request reconsideration of claims 1-22 in view of the following remarks.

In item 3 of the Office Action, claims 1-4, 9-12, and 17-20 have been rejected under 35U.S.C. §102(e) as being anticipated by U.S. Patent 6,584,480 issued to Ferrel et al. (hereafter "Ferrel"). It is axiomatic that anticipation under Section 102 "requires the disclosure in a single prior art reference of each element of the claim under construction" W.L. Gore & Associates, Inc. v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983). For the reasons that follow, Applicants respectfully assert that Ferrel fails to show or suggest all of the elements of claims 1-4, 9-12 and 17-20. Accordingly, Applicants request that the rejection of claims 1-4, 9-12 and 17-20 be withdrawn.

To begin, reference is made to claim 1 that states:

1. A method for parsing a markup file, comprising:
parsing a first portion of the markup file with a lightweight parser in a computer system, the lightweight parser being capable of performing a first set of parsing tasks;
parsing a second portion of the markup file with a heavyweight parser in the computer system, the heavyweight parser being capable of performing a second set of parsing tasks, wherein the first set of parsing tasks is a subset of the second set of parsing tasks; and
transitioning between the parsing of the first portion of the markup file with the lightweight parser to the parsing of the second portion of the markup file with the heavyweight parser upon an occurrence of a transition event.

With respect to claims 1, 9 and 17, the Office Action states:

"Ferrell discloses a method for parsing a markup file, comprising: parsing a first portion of the markup file with a lightweight parser in a computer system, the lightweight parser being capable of performing a set of parsing tasks (col 30, lines 9-15); parsing a second portion of the markup file with a heavyweight parser in the computer system (col 30, lines 11-16), the heavyweight parser being capable of performing a second set of parsing tasks, wherein the first set of parsing tasks is a subset of the second set of parsing tasks (col 29, lines 60-65); and transitioning between the parsing of the first portion of the markup file with the lightweight parser to the parsing of the second portion of the markup file with the heavyweight parser upon an occurrence of a transition event (col 30, line 10, col 31, line 45)." (Office Action, page 3).

Serial Number: 09/916,040Docket Number: 10007847-1

Applicants respectfully disagree. For example, at column 29, lines 60-65, Ferrel states:

"The purpose of the MP system parser is to load tagged contents to an MDF file and translate it into a data structure that can be used by controls in the MP system. This is accomplished by reading the MDF file and interpreting tags and their attributes that are applied to the content within that file. The result of the parsing process is a file having a tree structure wherein each tagged element in the file becomes a node in the tree."

In neither the above excerpt, nor anywhere else, does Ferrel discuss the concept of a heavyweight parser being capable of performing a second set of parsing tasks, where the first set of parsing tasks performed by the lightweight parser is a subset of the second set of parsing tasks. Rather, it appears to discuss parsing in a general sense. In addition, at column 30, line 10 through column 31, line 45, Ferrel states:

"The first object is a low-level SGML parser which is a recursive decent parser which reads tagged content and generates events. These events are points encountered in parsing where a second higher level object can understand the tag and apply the proper formatting. In this system the low-level parser contains no actual knowledge of the descriptors used to tag the text. Pseudo-code for a low-level parser is shown below.

The low-level parser is basically a state machine. It looks at each character in the input text and modifies its current state depending on the identity of the next character. As states change, "events" are returned to a high-level document type descriptor (DTD) manager which in interprets and acts on the event. Examples of events: start tag encountered, end tag encountered or attribute encountered. The following table describes the states and the inputs that cause changes in states and events. Input characters not listed for each state have no effect on the current state and cause no events to be generated to the high-level parser. . . .

. . . The high-level object parser, called the document type descriptor (DTD) manager understands the descriptions of the tags in the text. A response to events generated by the low-level and actually creates the parse tree. The high-level object level also provides information to the low-level parser about tags defined by the DTD manager. For example, it provides information such as which tags are empty, which tags are minimized and which tags imply a paragraph break. In this system, the DTD manager which tracks styles and tags is pluggable in that new DTDs can be created to understand other tagged schemes. For example, a DTD manager which reads HTML formatted documents could be substituted for a DTD manager which reads MPML documents".

Serial Number: 09/916,040Docket Number: 10007847-1

Note that a chart was omitted from the above excerpt. The above excerpt from Ferrel discusses parsers that operate concurrently. Each of the parsers performs a different set of functions in parsing a document. In contrast, claim 1 provides for the transitioning between the parsing of the first portion of the markup file with a lightweight parser to the parsing of the second portion of the markup file with the heavyweight parser upon an occurrence of a transition event. There is no transition performed as described in Ferrel.

Consequently, Ferrel fails to show or suggest all of the elements of claim 1. Similarly, Ferrel fails to show or suggest all of the elements of claims 9 and 17 that include subject matter that is similar in scope with the subject matter of claim 1 described above. Accordingly, Applicants request that the rejection of claims 1, 9 and 17 be withdrawn. In addition, claims 2-4, 10-12, and 18-20 depend from claims 1, 9, and 17, respectively. Accordingly, Applicants request that the rejection of claims 2-4, 10-12, and 18-20 be withdrawn as depending from claims 1, 9, and 17, respectively.

In addition, claim 2 includes the element of "detecting an occurrence of the transition event comprising a requirement that the lightweight parser perform a parsing task excluded from the first set of parsing tasks." In this regard, the Office Action states "Referring to claims 2, 10 and 18:.....Ferrel further discloses detecting an occurrence of a transition event comprising a requirement that the lightweight parser perform a parser task excluded from the first set of parsing tasks (col 30, lines 10-15)." (Office Action, page 4).

Applicants respectfully disagree. At column 30, lines 10-15, Ferrel states:

"The first object is a low-level SGML parser which is a recursive decent parser which reads tagged content and generates events. These events are points encountered in parsing where a second higher level object can understand the tag and apply the proper formatting. In this system the low-level parser contains no actual knowledge of the descriptors used to tag the text. Pseudo-code for a low-level parser is shown below."

Applicants respectfully assert that in neither the above excerpt, nor in any other portion, does Ferrel show or suggest detecting an occurrence of a transition event that includes a requirement that the lightweight parser perform a parsing text that is excluded from the first set of parsing tasks that it performs. Rather, Ferrel simply discusses a first object that is a low-level SGML parser and does not refer to

Serial Number: 09/916,040Docket Number: 10007847-1

any detection of an occurrence of a transition event. Not only is there no discussion of a transition event, there is no discussion of a transition between parsers. Accordingly, Applicants respectfully assert that the rejection of claim 2 is improper. In addition, the rejection of claims 10 and 18 is improper as including subject matter similar in scope with that of claim 2. Accordingly, Applicants request that the rejection of claims 2, 10, and 18 be withdrawn.

Next, in item 4 of the Office Action, claims 5-8, 13-16, and 21-22 have been rejected under 35 U.S.C. §103(a) as being obvious over Ferrel in view of US Patent Application Publication US/2002/0073399 by Golden. Applicants assert that the rejection of claims 5-8, 13-16, and 21-22 is improper as US Patent Application Publication US/2002/0073399 is disqualified as a reference as provided by 35 U.S.C. §103(c).

Specifically, 35 U.S.C. §103(c) provides:

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

US Patent Application Publication US/2002/0073399 qualifies as prior art only under §102(e). Given that the invention that is the subject of the present application and the subject matter of US Patent Application Publication US/2002/0073399 were owned by the same entity at the time the present invention was made, then US Patent Application Publication US/2002/0073399 is disqualified as prior art under §103. In this respect, a statement is provided in the following section that at the time of the invention of the present application was made, both the subject matter of US Patent Application Publication US/2002/0073399 and the present invention that is the subject of the present Patent Application were owned by, or subject to an obligation of assignment to, the same person or entity.

In view of the fact that US Patent Application Publication US/2002/0073399 is hereby disqualified for use as a prior art reference under §103, Applicants assert that the rejection of claims 5-8, 13-16, and 21-22 is improper. Accordingly, Applicants request that the rejection of claims 5-8, 13-16, and 21-22 be withdrawn.

Serial Number: 09/916,040

Docket Number: 10007847-1

STATEMENT OF COMMON OWNERSHIP UNDER 35 U.S.C. §103(c)

Applicants hereby state that both the subject matter of US Patent Application Publication US/2002/0073399 and the present invention that is the subject of the present Patent Application were, at the time the present invention was made, owned by the same person or entity, or subject to an obligation of assignment to the same person or entity.

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,



Michael J. D'Aurelio
Reg. No. 40,977

D'Aurelio & Mathews, LLC
96 Church Street
Chagrin Falls, Ohio 44022
Phone: (440) 729-7450
Fax: (440) 729-7465